

Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FOLWEILER CHIROPRACTIC, P.S., a
Washington professional services corporation,

Plaintiff,

vs.

HARTFORD ACCIDENT AND INDEMNITY
COMPANY; HARTFORD CASUALTY
INSURANCE COMPANY; HARTFORD
INSURANCE COMPANY OF THE
MIDWEST; HARTFORD LIFE AND
ACCIDENT INSURANCE COMPANY;
HARTFORD UNDERWRITERS
INSURANCE COMPANY; PROPERTY AND
CASUALTY INSURANCE COMPANY OF
HARTFORD; SENTINEL INSURANCE
COMPANY; TRUMBULL INSURANCE
COMPANY; and TWIN CITY FIRE
INSURANCE COMPANY,

Defendants.

NO. 2:16-cv-00912 JLR

STIPULATION AND [PROPOSED] ORDER FOR REMAND

Noting Date: March 6, 2017

I. STIPULATION

1. The parties have reached a tentative settlement of this case on a class action basis.

2. This settlement is substantively similar to a class action settlement that was recently approved by the King County Superior Court, and is also substantively similar to numerous previous class action settlements that have been approved within the last 10 years by the King County Superior Court.

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3. Because there is a continuing challenge to this Court's jurisdiction in this case, the parties believe the fairness, reasonableness, and adequacy of the class action settlement here should, so that there is no question of the validity of the settlement approval, be adjudicated by the King County Superior Court rather than this Court.

4. Accordingly, the parties respectfully jointly request that this case be remanded, based on the agreement of the parties, to the King County Superior Court.

5. The parties have also agreed that in (what the parties consider to be) the unlikely event that the proposed class action settlement does not eventuate in the King County Superior Court, the parties' jurisdictional positions are not waived, and the Defendants will reserve the right to re-remove the case based on any such denial order and Plaintiff reserves the right to seek remand, but will not contend that any such denial order would not be a valid basis for removal.

DATED this 6th day of March, 2017.

BRESKIN JOHNSON & TOWNSEND PLLC FORSBERG & UMLAUF, P.S.

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II. ORDER

IT IS SO ORDERED.

DATED this 7th day of March, 2011

Hon. James L. Robert *Robert* United States District Judge *JL*

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CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Jamie Telegin
Jamie Telegin, Legal Assistant

STIPULATION AND [PROPOSED] ORDER FOR
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